

COMPT 45-0194

X

Office of General Counsel

Office of Legislative Counsel

Unless you see some reason not to, I propose to release the attached letter in response to OMB Bulletin 75-9 and the follow-up memorandum from DD/OMB (copies attached).

/s/ James H. Taylor
James H. Taylor, Acting Comptroller 12 FEB 1975

X

OGC and OLC concurred by phone on 2/24/75.

COMPT 75-0194

25 FEB 1975

Mr. James M. Frey
Deputy Associate Director
International Affairs Division
Office of Management and Budget
Washington, D. C. 20503

Dear Jim:

We received OMB Bulletin 75-9 early in November. Since it did not call for negative responses, we assumed no action was necessary.

We have now received from Mr. O'Neill a memorandum dated February 4, 1975 asking for a specific response. Accordingly, this letter records that the Central Intelligence Agency has identified no legislative changes required to implement the shift to the new fiscal year.

Sincerely,

John D. Iams
Comptroller

STAT

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2/10/75
D/Executive Secretary

75-662



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

COMPT 75-0194

February 4, 1975

MEMORANDUM TO CERTAIN HEADS OF DEPARTMENTS AND AGENCIES

SUBJECT: OMB Bulletin No. 75-9 "Legislative Proposals for
Transition to an October 1 - September 30 Fiscal
Year"

On October 24, 1974 the Office of Management and Budget issued Bulletin No. 75-9 "Legislative Proposals for Transition to an October 1 - September 30 Fiscal Year." The Bulletin required each department and agency to submit by December 31, 1974 a report on proposed legislative changes required to implement the shift to the new fiscal year.

Our records indicate that your agency has not responded to this Bulletin and it would be appreciated if you would submit your report as soon as possible even though the report may be negative.

Paul H. O'Neill
Paul H. O'Neill
Deputy Director

Distribution List:
Central Intelligence Agency

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EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

11/2/74
8/Comptroller

BULLETIN NO. 75-9

October 24, 1974

TO THE HEADS OF EXECUTIVE DEPARTMENTS AND ESTABLISHMENTS

SUBJECT: Legislative proposals for transition to an
October 1 - September 30 fiscal year

1. Purpose. This Bulletin provides instructions for the identification and submission of legislative proposals other than authorizations of new budget authority necessitated by the shift to the new October 1 - September 30 fiscal year required by the Congressional Budget Act of 1974 (P.L. 93-344).

2. Background. Title V of Public Law 93-344 prescribes an October 1 - September 30 fiscal year, effective with fiscal year 1977, and a transition period commencing July 1, 1976, and ending September 30, 1976.

a. Section 502(a) requires that the President prepare and submit to the Congress "proposed legislation he considers appropriate with respect to changes in law necessary to provide authorizations of appropriations for" the transition period. Instructions concerning authorization legislation are contained in OMB Bulletin No. 75-8.

b. Section 502(b) requires that the Director of the Office of Management and Budget "prepare and submit to the Congress such additional proposed legislation as he considers necessary" for the orderly transition by the Federal Government from the present fiscal year of July 1 - June 30 to the October 1 - September 30 fiscal year. Numerous Federal laws other than those which authorize new budget authority are keyed to the present July 1 - June 30 fiscal year. These laws are the subject of this Bulletin.

3. Coverage. Each department and agency is requested to review the laws relating to its operations and identify those described in 2b, above, which will require amendment prior to the beginning of the transition period. Illustrative categories of statutes which may require amendment are described below:

a. Statutes concerning the apportionment of funds that:

(1) refer to events or information from the past fiscal or calendar year. Those statutes which contain dates in connection with such references may or may not require amendment to be consistent with the new fiscal year, such as, 7 U.S.C. 612c which appropriates for each fiscal year an "amount equal to 30 per centum of the gross receipts from the duties collected under the customs laws during the period January 1 to December 31, both inclusive, preceding the beginning of each such fiscal year"; or

(2) require the allotment or apportionment of funds among the States by a certain date or on the basis of a quota or formula, such as, 16 U.S.C. 779c(a) which provides that funds appropriated for commercial fisheries research and development "shall be apportioned among the States, by the Secretary, on July 1 of each year ...

b. Statutes with administrative requirements, for instance:

(1) annual reports to the Congress that are tied to specific dates or events related to the fiscal year, such as, 28 U.S.C. 552, which requires that the Attorney General report on the activities of his Department during the preceding fiscal year at the beginning of each Congress; or

(2) program activities and procedures required to be implemented by a certain date related to the fiscal year, such as, grants procedures and requirements for State plans; or

(3) administrative standards keyed to the fiscal year, such as, the mandatory retirement statutes applicable to certain officers of the Navy and Marine Corps that specify June 30, the end of the fiscal year, as the date of retirement (10 U.S.C. 6374, 6376).

The above categories are illustrative only. Other types of statutes containing references to the fiscal year or to a specific date may require amendment and should be identified in the report required by this Bulletin.

4. Required Materials. Each department and agency will submit to the General Counsel, OMB by December 31, 1974, two copies of a report in the format of the Attachment. Each report should contain:

- a list of statutory citations (including United States Code references) that need to be amended to provide for the transition period or to conform to the new fiscal year;
- the proposed legislative language designed to effect the desired change.

5. Inquiries. Inquiries and requests for assistance with regard to this Bulletin should be addressed to the General Counsel, OMB, telephone: (202) 395-5600, (Code 103).

ROY L. ASH
DIRECTOR

Attachment

Attachment
Bulletin No. 75-9PROPOSED LEGISLATIVE CHANGES REQUIRED
TO IMPLEMENT THE SHIFT TO THE NEW FISCAL YEARDEPARTMENT OF GOVERNMENT

(Agency)

Agency Contact

Name: _____

Phone: _____

U.S. Code or
other citation

Proposed legislative language

28 U.S.C. 522

"Section 522 of Title 28, United States Code, is amended by deleting 'at the beginning of each regular session of Congress' and inserting 'by April 1 each year' in lieu thereof."

64 Stat. 891
12 U.S.C. 1827(c)

"Section 17(c) of the Federal Deposit Insurance Act, as amended, (12 U.S.C. 1827(c)), is further amended by deleting 'June 30' and inserting 'September 30' in lieu thereof."

70 Stat. 399
23 U.S.C. 120 note

"Section 209(e)(1) of the Highway Revenue Act of 1956, as amended (23 U.S.C. 120 note), is further amended by deleting 'June 30' and inserting 'September 30' in lieu thereof."